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Globalization and interdependence: international migration and development

Report of the Second Committee*

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I. Introduction

1. The Second Committee held a substantive debate on agenda item 22 (see A/65/438, para. 2). Action on sub-item (c) was taken at the 28th and 33rd meetings, on 12 November and 1 December 2010. An account of the Committee's consideration of the sub-item is contained in the relevant summary records (A/C.2/65/SR.28 and 33).

II. Consideration of draft resolutions A/C.2/65/L.23 and A/C.2/65/L.69

2. At the 28th meeting, on 12 November, the representative of Yemen, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "International migration and development" (A/C.2/65/L.23), which read:

> "*The General Assembly*,
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> "*Recalling* its resolutions 58/208 of 23 December 2003, 59/241 of 22 December 2004, 60/227 of 23 December 2005, 61/208 of 20 December 2006 and 63/225 of 19 December 2008 on international migration and development, 60/206 of 22 December 2005 on the facilitation and reduction of the cost of transfer of migrant remittances, 62/270 of 20 June 2008 on the Global Forum on Migration and Development and 64/166 of 18 December 2009 on the protection of migrants,

* The report of the Committee on this item is being issued in four parts, under the symbol A/65/438 and Add.1-3.

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"*Recalling also* the 2005 World Summit Outcome and its resolution 60/265 of 30 June 2006 on the follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals, and taking note of the Doha Declaration on Financing for Development: outcome document of the follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, adopted on 24 December 2008,

"*Recalling further* its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

"*Recalling* the Conference on the World Financial and Economic Crisis and Its Impact on Development and its outcome,

"*Recalling also* the 2010 High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals and its outcome,

"*Reaffirming* the Universal Declaration of Human Rights, and recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

"*Recalling* the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

"*Recalling also* the importance of the decent work agenda of the International Labour Organization, including for migrant workers, the eight fundamental Conventions of the International Labour Organization and the Global Jobs Pact, as a general framework within which each country can formulate policy packages specific to its situation and national priorities in order to promote a job-intensive recovery and sustainable development,

"*Recalling further* Commission on Population and Development resolution 2006/2 of 10 May 2006,

"*Bearing in mind* the summary by the President of the General Assembly of the 2006 High-level Dialogue on International Migration and Development,

"*Acknowledging* that the 2006 High-level Dialogue on International Migration and Development provided a useful opportunity to address constructively the issue of international migration and development and heightened awareness of the issue,

"*Taking note* of the United Nations Development Programme *Human Development Report 2009: Overcoming Barriers — Human Mobility and Development*,

"*Reaffirming* the resolve to take measures to ensure respect for and protection of the human rights of migrants, migrant workers and members of their families,

"*Reaffirming also* the responsibility of Governments to safeguard and protect the rights of migrants against illegal or violent acts, in particular acts of incitement to ethnic, racial and religious discrimination and crimes perpetuated with racist or xenophobic motivation by individuals or groups, and urging them to reinforce measures in this regard,

"*Acknowledging* the important nexus between international migration and development and the need to deal with the challenges and opportunities that migration presents to countries of origin, transit and destination, recognizing that migration brings benefits and challenges to the global community, and confirming the importance of including the matter in relevant debates and discussions held in the United Nations system in relation to development,

"*Acknowledging also* the important contribution provided by migrants and migration to development, as well as the complex interrelationship between migration and development,

"*Recalling* that migrant workers are among the most vulnerable in the context of the current crisis and that remittances, which are significant private financial resources for households in countries of origin of migration, have been seriously affected by rising unemployment and weak earnings growth among migrant workers, particularly in advanced economies,

"*Noting with concern* that international migrants are experiencing higher unemployment than non-migrants in most countries of destination, affecting in particular men and youth,

"*Noting with concern also* that the deteriorating economic situation, reflected in rising unemployment, leads people to perceive the economic effects of migration as negative, and that in this regard national public planning should focus on medium and long-term issues, such as the need to compensate for the contraction of working-age populations and the reduction of endemic skill shortages in some destination countries,

"*Recognizing* that remittance flows constitute sources of private capital and that remittances have increased over time, complement domestic savings and are instrumental in improving the well-being of recipients,

"1. *Takes note* of the report of the Secretary-General;

"2. *Encourages* efforts by Member States and the international community to promote a balanced, coherent and comprehensive approach to international migration and development, in particular by building partnerships and ensuring coordinated action to develop capacities, including for the management of migration;

"3. *Recognizes* the importance of renewing the political will to act cooperatively and constructively in addressing international migration with a view to building common strategies to face the challenges and opportunities of international migration and to promote respect for and protection of human rights in the development and implementation of migration policies and strategies;

"4. *Emphasizes* that respect for the human rights and fundamental freedoms of all migrants is essential for reaping the benefits of international migration;

"5. *Expresses concern* at legislation and measures adopted by some States that may restrict the human rights and fundamental freedoms of migrants, and reaffirms that, when exercising their sovereign right to enact and implement migratory and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

"6. *Also expresses concern* at recent tendencies and public policies involving penalties and treatments that are not commensurate with administrative infractions and that deny migrants the full enjoyment of their human rights;

"7. *Calls on* Member States that have not yet done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as a matter of priority, and requests the Secretary-General to continue his efforts to promote and raise awareness of the Convention;

"8. *Requests* all Member States, in accordance with their relevant international obligations and commitments, to promote cooperation at all levels in addressing the challenge of undocumented or irregular migration so as to foster a secure, regular and orderly process of migration through various measures, including the reduction of processing costs associated with migration;

"9. *Welcomes* the programmes adopted by some host countries that allow migrants to integrate fully into their societies, facilitate family reunification through the implementation of processes to this end, in accordance with the laws of each Member State, and promote a harmonious, tolerant and respectful environment; and urges States to consider, as appropriate, adopting similar programmes, and to ensure that the repatriation mechanisms they implement allow for the identification and special protection of persons in vulnerable situations, in particular women and children, and to take into account, in conformity with their international obligations and commitments, the principle of the best interests of the child and family reunification;

"10. *Encourages* the United Nations system to further promote initiatives aimed at supporting efforts by Member States to ensure the promotion and protection of the rights of migrants, especially those in vulnerable situations, such as unaccompanied minors, and to provide them access to information on their rights, including rights to legal processes and access to entities that provide advice and assistance;

"11. *Urges* Member States and relevant international organizations to incorporate a gender perspective into all policies and programmes on international migration in order to, inter alia, reinforce the positive contributions that migrant women can make to the economic, social and human development of their countries of origin and their host countries, and to

strengthen the protection of women migrants from all forms of violence, discrimination, trafficking, exploitation and abuse by promoting their rights and welfare, while recognizing in this regard the importance of joint and collaborative approaches and strategies at the bilateral, regional, interregional and international levels;

"12. *Recognizes with appreciation* the important contribution made by migrants and migration to development in countries of origin and destination;

"13. *Invites* countries of origin and destination, in accordance with domestic legislation, to undertake appropriate measures to facilitate the contribution of migrants and migrant communities to the development of their countries of origin;

"14. *Recognizes* the importance for countries of destination of enhancing the capacities of low-skilled migrants in order to increase their access to employment opportunities;

"15. *Stresses* the need for Member States to continue considering the multidimensional aspects of international migration and development by encouraging the acceleration of efforts by donors and international organizations to maximize the development benefits and minimize the negative impacts, including by lowering the transfer costs of remittances, garnering the active engagement of expatriates and fostering their involvement in promoting investment in countries of origin and entrepreneurship among non-migrants;

"16. *Reaffirms* the need to ensure better conditions for cheaper, faster and safer transfers of remittances in both source and recipient countries and, as appropriate, to encourage opportunities for development-oriented investment in recipient countries by beneficiaries that are willing and able to undertake such action, bearing in mind that remittances cannot be considered a substitute for foreign direct investment, official development assistance, debt relief or other public sources of financing for development;

"17. *Underscores* the need for the international community to address the negative impact that migration of highly skilled workers and those with advanced education from many developing countries has on the development efforts of their country of origin;

"18. *Acknowledges* the need to analyse the impact of certain forms of temporary migration, circular migration and return migration on the development of countries of origin, transit and destination, as well as on migrants themselves;

"19. *Calls upon* Member States to address the effects of the economic and financial crisis on international migrants and, in this regard, renew their commitment to resist unfair and discriminatory treatment of migrants;

"20. *Calls upon* all relevant bodies, agencies, funds and programmes of the United Nations system, and other relevant intergovernmental, regional and subregional organizations, including the Global Migration Group, within their respective mandates, to continue to address the issue of international migration and development, with a view to integrating migration issues, including a gender perspective and cultural diversity, in a more coherent way, within their respective national development strategies and planning, and with regard to the

implementation of the internationally agreed development goals, including the Millennium Development Goals, and with respect for human rights;

"21. *Calls upon* the United Nations system and other relevant international organizations and multilateral institutions to enhance their cooperation in the promotion and development of methodologies for the collection and processing of statistical and comparable data on international migration and the situation of migrants in countries of origin, transit and destination, and to assist Member States in their capacity-building efforts in this regard, in order to improve national, regional and international measures aimed at ensuring more effective protection of migrants;

"22. *Notes* the Global Forum on Migration and Development, which held its first meeting in Brussels from 9 to 11 July 2007, its second meeting in Manila from 27 to 30 October 2008 and its third meeting in Athens from 2 to 5 November 2009, as an informal, voluntary, open, State-led initiative, and also notes the generous offer of the Government of Mexico to host the fourth meeting of the Global Forum, to be held in Puerto Vallarta from 8 to 11 November 2010, as well as the offers of other Governments to hold subsequent meetings of the Forum;

"23. *Decides* that a one-day informal thematic debate on international migration and development will be held during the first half of 2011;

"24. *Also decides* that the 2013 High-level Dialogue on International Migration and Development of the General Assembly will be held in accordance with the rules and procedures of the General Assembly;

"25. *Requests* the Secretary-General to report to the General Assembly, at its sixty-seventh session, on the organizational details of the High-level Dialogue, including possible themes;

"26. *Invites* the regional commissions to organize panel discussions with the participation of high-level personalities from countries of origin, transit and destination to examine regional aspects of international migration and development and to provide inputs, in accordance with their respective mandates and within existing resources, to the report of the Secretary-General on this item and to the preparatory process of the High-level Dialogue;

"27. *Invites* Member States, through appropriate regional consultative processes and other major initiatives in the field of international migration, to contribute to the High-level Dialogue;

"28. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled 'International migration and development';

"29. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution."

3. At its 33rd meeting, on 1 December, the Committee had before it a draft resolution entitled "International migration and development" (A/C.2/65/L.69), submitted by the Vice-Chair of the Committee, Jean Claudy Pierre (Haiti), on the basis of informal consultations held on draft resolution A/C.2/65/L.23.

4. At the same meeting, upon the proposal of the Chair, the Committee agreed to waive rule 120 of the rules of procedure of the General Assembly and proceed to act on draft resolution A/C.2/65/L.69.

5. Also at the same meeting, the Vice-Chair made an oral correction to the draft resolution (see A/C.2/65/SR.33).

6. Also at its 33rd meeting, the Committee adopted draft resolution A/C.2/65/L.69, as orally corrected (see para. 8).

7. In the light of the adoption of draft resolution A/C.2/65/L.69, draft resolution A/C.2/65/L.23 was withdrawn by its sponsors.

III. Recommendation of the Second Committee

8. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

International migration and development

The General Assembly,

Recalling its resolutions 58/208 of 23 December 2003, 59/241 of 22 December 2004, 60/206 of 22 December 2005 on the facilitation and reduction of the cost of transfer of migrant remittances, 60/227 of 23 December 2005, 61/208 of 20 December 2006, 62/156 of 18 December 2007 and 64/166 of 18 December 2009 on the protection of migrants, 62/270 of 20 June 2008 on the Global Forum on Migration and Development and 63/225 of 19 December 2008,

Recalling also the 2005 World Summit Outcome[1] and its resolution 60/265 of 30 June 2006 on the follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals, and taking note of the Doha Declaration on Financing for Development: outcome document of the follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, adopted on 24 December 2008,[2]

Recalling further its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields,

Recalling the Conference on the World Financial and Economic Crisis and Its Impact on Development and its outcome,[3] and follow-up,

Recalling also the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals and its outcome,[4]

Reaffirming the Universal Declaration of Human Rights,[5] and recalling the International Covenant on Civil and Political Rights,[6] the International Covenant on Economic, Social and Cultural Rights,[6] the International Convention on the Elimination of All Forms of Racial Discrimination,[7] the Convention on the Elimination of All Forms of Discrimination against Women[8] and the Convention on the Rights of the Child,[9]

Recalling the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[10] reiterating the call to Member

[1] See resolution 60/1.
[2] Resolution 63/239, annex.
[3] Resolution 63/303, annex.
[4] Resolution 65/1.
[5] Resolution 217 A (III).
[6] See resolution 2200 A (XXI), annex.
[7] United Nations, *Treaty Series*, vol. 660, No. 9464.
[8] Ibid., vol. 1249, No. 20378.
[9] Ibid., vol. 1577, No. 27531.
[10] Ibid., vol. 2220, No. 39481.

States that have not yet done so to consider signing and ratifying or acceding to the Convention as a matter of priority and the request to the Secretary-General to continue his efforts to promote and raise awareness of the Convention, particularly in the context of the twentieth anniversary of its adoption,

Recalling also the importance of the Decent Work Agenda of the International Labour Organization, including for migrant workers, the eight fundamental Conventions of the International Labour Organization and the Global Jobs Pact, as a general framework within which each country can formulate policy packages specific to its situation and national priorities in order to promote a job-intensive recovery and sustainable development,

Recalling further Commission on Population and Development resolution 2006/2 of 10 May 2006,[11]

Bearing in mind the summary by the President of the General Assembly of the 2006 High-level Dialogue on International Migration and Development,[12]

Acknowledging that the 2006 High-level Dialogue on International Migration and Development provided a useful opportunity to address constructively the issue of international migration and development and heightened awareness of the issue,

Taking note of the United Nations Development Programme *Human Development Report 2009: Overcoming Barriers — Human Mobility and Development*,[13]

Acknowledging the complexity of migratory flows and that a significant proportion of international migration movements also occurs within the same geographical regions,

Reaffirming the resolve to take measures to ensure respect for and protection of the human rights of migrants, migrant workers and members of their families,

Bearing in mind the obligations of States under international law, as applicable, to exercise due diligence to prevent crimes against migrants, including those perpetrated with racist or xenophobic motivations, and to investigate and punish perpetrators, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of victims, and urging them to reinforce measures in this regard,

Acknowledging the important nexus between international migration and development and the need to deal with the challenges and opportunities that migration presents to countries of origin, transit and destination, recognizing that migration brings benefits and challenges to the global community, and confirming the importance of including the matter in relevant debates and discussions held at an international level, including the United Nations, in relation to development,

Acknowledging also the important contribution provided by migrants and migration to development, as well as the complex interrelationship between migration and development,

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[11] See *Official Records of the Economic and Social Council, 2006, Supplement No. 5* (E/2006/25), chap. I, sect. B.

[12] A/61/515.

[13] United Nations publication, Sales No. E.09.III.B.1.

Recognizing the need to further consider the role that environmental factors may play in migration,

Recalling that migrant workers are among the most vulnerable in the context of the financial and economic crisis and that remittances which are significant private financial sources for households have been negatively affected by rising unemployment and weak earnings growth among migrant workers in some countries of destination,

Noting with concern that in many countries of destination international migrants are experiencing higher unemployment than non-migrants,

Recognizing the contributions of young migrants to countries of origin and destination, and in that regard encouraging States to consider the specific circumstances and needs of young migrants,

Noting with concern that the economic and financial crisis has increased the risk of misperceiving the economic effects of migration as negative and that in this regard national public planning should take note of the positive effects that migration has in the medium to long term,

Recognizing that remittance flows constitute sources of private capital and complement domestic savings and are instrumental in improving the well-being of recipients,

Recalling its resolution 63/225 in which it decided to hold a High-level Dialogue on International Migration and Development during its sixty-eighth session, in 2013, and to convene, at its sixty-fifth session, in 2011, a one-day informal thematic debate on international migration and development,

1. *Takes note* of the report of the Secretary-General;[14]

2. *Encourages* efforts by Member States and the international community to continue to promote a balanced, coherent and comprehensive approach to international migration and development, in particular by building partnerships and ensuring coordinated action to develop capacities, including for the management of migration;

3. *Recognizes* the importance of renewing the political will to act cooperatively and constructively in addressing international migration, including regular and irregular migration, to face the challenges and opportunities of international migration with a comprehensive, coherent and balanced approach and to promote respect for and protection of human rights in the development and implementation of policies regarding migration and development;

4. *Emphasizes* that respect for the human rights and fundamental freedoms of all migrants is essential for reaping the benefits of international migration;

5. *Expresses concern* at legislation adopted by some States that results in measures and practices that may restrict the human rights and fundamental freedoms of migrants, and reaffirms that, when exercising their sovereign right to enact and implement migratory and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

[14] A/65/203.

6. *Stresses* that the penalties and the treatment given to irregular migrants should be commensurate with their infraction;

7. *Requests* all Member States, in accordance with their relevant international obligations and commitments, to promote cooperation at all levels in addressing the challenge of undocumented or irregular migration so as to foster a secure, regular and orderly process of migration;

8. *Welcomes* the programmes that allow migrants to integrate fully into society, facilitate family reunification in accordance with the laws and the specific criteria of each Member State, and promote a harmonious, tolerant and respectful environment, and encourages host countries to take appropriate measures aimed at the full integration of long-term migrants staying legally in the country;

9. *Encourages* the United Nations system and other relevant organizations, including the International Organization for Migration, to continue to support efforts aimed at the promotion and protection of the rights of migrants, especially those in vulnerable situations, and to provide them access to these rights, including rights to legal processes and access to entities, such as National Migrant Resource Centres, that provide advice and assistance;

10. *Urges* Member States and relevant international organizations to incorporate a gender perspective into all policies and programmes on international migration in order to, inter alia, reinforce the positive contributions that migrant women can make to the economic, social and human development of their countries of origin and their host countries, and to strengthen the protection of women migrants from all forms of violence, discrimination, trafficking, exploitation and abuse by promoting their rights and welfare, while recognizing in this regard the importance of joint and collaborative approaches and strategies at the bilateral, regional, interregional and international levels;

11. *Recognizes with appreciation* the important contribution made by migrants and migration to development in countries of origin and destination;

12. *Encourages* all countries, in accordance with domestic legislation, to take appropriate measures to facilitate the contribution of migrants and migrant communities to the development of their countries of origin;

13. *Recognizes* the importance of enhancing the capacities of low-skilled migrants in order to increase their access to employment opportunities in countries of destination;

14. *Also recognizes* the need for Member States to continue considering the multidimensional aspects of international migration and development in order to identify appropriate ways and means of maximizing the development benefits and minimizing the negative impacts, including through exploring ways to lower the transfer costs of remittances, garnering the active engagement of expatriates and fostering their involvement in promoting investment in countries of origin and entrepreneurship among non-migrants;

15. *Reaffirms* that there is a need to further address and promote conditions for cheaper, faster and safer transfers of remittances in both source and recipient countries and, as appropriate, to encourage opportunities for development-oriented investment in recipient countries by beneficiaries that are willing and able to take such action, bearing in mind that remittances cannot be considered a substitute for

foreign direct investment, official development assistance, debt relief or other public sources of financing for development;

16. *Reiterates* the need to consider how the migration of highly skilled persons and those with advanced education affects the development efforts of developing countries in order to address its negative impacts and to optimize its potential benefits;

17. *Acknowledges* the need to analyse the impact of certain forms of temporary migration, circular migration and return migration on the development of countries of origin, transit and destination, as well as on migrants themselves;

18. *Calls upon* Member States to address the effects of the economic and financial crisis on international migrants and, in this regard, to renew their commitment to resist unfair and discriminatory treatment of migrants;

19. *Calls upon* all relevant bodies, agencies, funds and programmes of the United Nations system, and other relevant intergovernmental, regional and subregional organizations, including the Global Migration Group, within their respective mandates, to continue to address the issue of international migration and development, with a view to integrating migration issues, including a gender perspective and cultural diversity, in a more coherent way, within the context of the implementation of the internationally agreed development goals, including the Millennium Development Goals, and with respect for human rights;

20. *Encourages* the United Nations system and other relevant international organizations to support developing countries in their efforts to address migration issues within their respective development strategies in the context of the implementation of the internationally agreed development goals, including the Millennium Development Goals;

21. *Calls upon* the United Nations system and other relevant international organizations and multilateral institutions to enhance their cooperation in the promotion and development of methodologies for the collection and processing of internationally comparable statistical data on international migration and the situation of migrants in countries of origin, transit and destination, and to assist Member States in their capacity-building efforts in this regard;

22. *Takes note* of the Global Forum on Migration and Development, which is an informal, voluntary, open, State-led initiative and which held its first meeting in Belgium in 2007, followed in 2008 by the Philippines, in 2009 by Greece and in 2010 by Mexico, as a contribution to addressing the multidimensional nature of international migration as well as a step towards promoting comprehensive and balanced approaches, as well as the generous offer of the Government of Switzerland to assume the Presidency of the Global Forum for 2011;

23. *Takes note with appreciation* of the announcement by the President of the General Assembly that the informal thematic debate on international migration and development will be held during the first half of 2011;

24. *Requests* the Secretary-General to report to the General Assembly at its sixty-seventh session on the organizational details of the High-level Dialogue, including possible themes;

25. *Invites* the regional commissions, in collaboration with other relevant entities of the United Nations system as well as the International Organization for Migration, to organize discussions to examine regional aspects of international migration and development and to provide inputs, in accordance with their respective mandates and within existing resources, to the report of the Secretary-General on this item and to the preparatory process of the High-level Dialogue;

26. *Invites* Member States, through appropriate regional consultative processes, and, as appropriate, other major initiatives in the field of international migration, including on international migration and development, to contribute to the High-level Dialogue;

27. *Decides* to include in the provisional agenda of its sixty-seventh session the sub-item entitled "International migration and development";

28. *Requests* the Secretary-General to submit to the General Assembly at its sixty-seventh session a report on the implementation of the present resolution.